



# State of New Hampshire

## Banking Department

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[www.nh.gov/banking](http://www.nh.gov/banking)

## NEW HAMPSHIRE LICENSE SURRENDER/EXPIRATION FORM INSTRUCTIONS

### A. GENERAL INSTRUCTIONS

1. Any licensee or registrant that ceases to conduct in business in New Hampshire for any cause, including but not limited to bankruptcy or voluntary dissolution, and any licensee or registrant who claims exemption from the licensing requirements during a license year, shall surrender and deliver its license to the commissioner and file a License Surrender/Expiration form and attachments within 15 calendar days after the date of cessation.
2. Any licensee or registrant who fails to renew its license at the end of a license period and fails to reapply for a license within 30 calendar days of such expiration shall file a Surrender/Expiration form and attachments within 45 days of the date of expiration; expired licenses need not be delivered to the commissioner.
3. Use this form when the company is surrendering all its NH licenses; use the Branch Office form when just closing a NH branch office location.
4. All questions must be answered, all fields requiring a response must be complete and all attachments must be received by the NHBD before the filing is accepted. When filing the License Surrender/Expiration Form on paper, enter "None" or "N/A" where appropriate.
5. The date a licensee or registrant ceases to conduct business shall be determined as follows:
  - A. For bankruptcy, as of the date of filing of a bankruptcy petition that terminates the continued operation of the licensee or registrant's business;
  - B. For license revocation, the date of a final order issued by the *NHBD*;
  - C. For a voluntary dissolution, the earlier of:
    - i. The date of the filing of documentation with the office of the secretary of state necessary to effectuate the dissolution; or  
The date of recording at a county registry of deeds documentation necessary to effectuate the dissolution; or
    - ii. The date of any agreement, resolution, or other documentation reflecting a voluntary dissolution of the licensee or registrant's business that is not required to be filed with the office of the secretary of state or county registry of deeds to effectuate the dissolution; and
    - iii. For any other reason, as of the date:
      - (a) The licensee or registrant closes its office(s) listed on the licensee or registrant's most recent license application, except as a result of relocation of its office(s) during the license year; or
      - (b) An on-site examination by the *NHBD* reveals the licensee or registrant is not engaged in business;

### B. ATTACHMENTS

1. A list of each pending NH loan application that includes the:
  - A. Loan applicant's:
    - i. Name(s);
    - ii. Address; and
    - iii. Telephone number;
  - B. Date of application;
  - C. Status of application or account;
  - D. Proposed loan amount;
  - E. Amounts paid by applicants for loan application fees;
  - F. Name and address of the company or individual to whom each pending loan application and file will be transferred and the date of each transfer; and
  - G. Amount of applicant / borrower funds transferred or to be transferred; and
2. A list of each NH loan that the surrendering company has in its portfolio or is servicing and the following information:
  - A. Loan applicant's:
    - i. Name(s);
    - ii. Address; and
    - iii. Telephone number;

- B. Date of the original loan;
  - C. Status of loan or account; and
  - D. Original loan amount and the outstanding loan balance;
  - E. Name and address of the company or individual who will hold the loan subsequent to the company's NH license surrender and the name and address of the person of the person who will service the loan subsequent to the company's NH license surrender.
3. If a company is surrendering its license it must deliver by courier, hand delivery, registered or certified mail:
- A. The original New Hampshire Principal Office License;
  - B. The original New Hampshire Branch Office License(s); and
  - C. The annual report for the year of surrender.

### C. PUBLISH NOTICE OF CLOSING

1. Within 15 calendar days from the date the licensee or registrant ceases business or within 45 calendar days from the date of license expiration, the licensee or registrant must start publication of a notice of the business closing in the NH Manchester Union Leader or New Hampshire Sunday News.
2. The notice shall be published once per week for 2 consecutive weeks;
3. The notice shall include the following:
  - A. The name of the licensee or registrant;
  - B. The principal place of business of the licensee or registrant;
  - C. The licensee or registrant's license or registration number;
  - D. The type of license; and
  - E. The name, address, and telephone number of a contact person for the licensee or registrant;
4. The text of the public notice shall be in the following form:

#### "Public Notice

\_\_\_\_\_ (name of licensee or registrant), with a principal place of business at \_\_\_\_\_, hereby gives notice that as of \_\_\_\_\_ (date) it has ceased conducting business as a \_\_\_\_\_ (state the type of license held) in New Hampshire and has surrendered its license(s) to the New Hampshire Bank Commissioner. For information about pending transactions, contact: \_\_\_\_\_ (name of contact person for licensee or registrant) at \_\_\_\_\_ (address) and \_\_\_\_\_ (phone number)"; and

5. Within 20 calendar days from the date the licensee or registrant ceases business or within 50 calendar days from the date of license expiration, the licensee or registrant must deliver a copy of the published notice to the NHBD.

### D. ANNUAL REPORT FILINGS

1. The annual report required by statute is available on the NHBD website @ <http://www.nh.gov/banking/consumer.html> and must be filed each year by March 31<sup>st</sup> to report business conducted during the prior calendar year. If the license is being surrendered and the date the licensee or registrant ceased business is after the close of a calendar year and prior to March 31<sup>st</sup> of the ensuing year, the licensee or registrant shall file an annual report for the prior calendar year on or before March 31<sup>st</sup> and shall also file, within 15 days of ceasing to conduct business, an annual report for the period from January 1<sup>st</sup> to the date the licensee or registrant ceased business.
2. A licensee or registrant who allows its license to expire on December 31<sup>st</sup> shall file its annual report of New Hampshire loans for the year of expiration on or before March 31<sup>st</sup> following the date of expiration.

## EXPLANATION OF TERMS

(The following terms are italicized throughout this form.)

**COMMISSIONER** means the New Hampshire Bank Commissioner

**JURISDICTION** means the federal government, a foreign government, a state, the District of Columbia, the Commonwealth of Puerto Rico, or any subdivision or regulatory body thereof.

**INVESTIGATION** includes: (a) grand jury investigations, (b) U.S. Securities and Exchange Commission investigations after the "Wells" notice has been given, (c) NASD Regulation, Inc. investigations after the "Wells" notice has been given or after a person associated with a member, as defined in The NASD By-Laws, has been advised by the staff that it intends to recommend formal disciplinary action or, (d) formal investigations by other regulatory organizations or, (e) actions or procedures designated as *investigations by jurisdictions*.

The term *investigation* does not include subpoenas, preliminary or routine regulatory inquiries or requests for information, deficiency letters, "blue sheet" requests or other trading questionnaires, or examinations.

**FINANCIAL SERVICES** or **FINANCIAL SERVICES-RELATED** pertains to securities, commodities, banking, insurance, consumer lending, debt adjustment, money transmission or real estate (including, but not limited to, acting as or being associated with a bank or savings association, credit union, mortgage lender, mortgage broker, mortgage servicer, closing agent, title company, or escrow agent).

**LICENSEE OR REGISTRANT** pertains to the company that holds a New Hampshire license and is surrendering its NH license using this form.

**NHBD** means the New Hampshire Banking Department

**TIMELINE CHART**

<b>License Surrender</b>			<b>License Expiration on December 31<sup>st</sup></b>	
Within <b>15</b> days from the date of ceasing to conduct business, the licensee or registrant must deliver to the NHBD:	1) NHBD License(s); 2) Surrender/Expiration Form & Attachments; 3) The Annual Report for the year of surrender; 4) A list of pending NH loan applications; 5) A list of all NH loans outstanding or being serviced; and 6) The Licensee or registrant must start publication of the notice in the NH Union Leader or NH Sunday News		Within <b>45</b> days from the date of license expiration, the licensee or registrant must deliver to the NHBD:	1) Surrender/Expiration Form & Attachments; 2) A list of pending NH loan applications; 3) A list of all NH loans outstanding or being serviced; and 4) The Licensee or registrant must start publication of the notice in the NH Union Leader or NH Sunday News
Within <b>20</b> days of ceasing to conduct business:	Deliver a copy of the published notice to the NHBD		Within <b>50</b> days from the date of license expiration:	Deliver a copy of the published notice to the NHBD
On or before <b><u>March 31<sup>st</sup></u></b> , deliver to the NHBD:	1) The Annual Report for the prior calendar year, if applicable		On or before <b><u>March 31<sup>st</sup></u></b> , deliver to the NHBD:	1) The Annual Report for year of expiration

NO FEE IS REQUIRED TO FILE THIS FORM	NH LICENSE SURRENDER/EXPIRATION FORM	NH LICENSE TYPE – CHECK ONE	
		<input type="checkbox"/> Mortgage Broker	<input type="checkbox"/> Mortgage Banker
		<input type="checkbox"/> Mortgage Servicer Registration	<input type="checkbox"/> Small Loan Lender
		<input type="checkbox"/> Sales Finance Company	<input type="checkbox"/> Retail Seller
		<input type="checkbox"/> Debt Adjuster	<input type="checkbox"/> Money Transmitter
<b>WARNING: INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACT MAY CONSTITUTE CRIMINAL VIOLATIONS.</b> <b>To surrender a license, file this form and the required attachments within 15 days of ceasing to conduct business or if the license expired on December 31<sup>st</sup>, file this form and the required attachments on or before February 14<sup>th</sup> (45 days from expiration).</b>			
1. A. FULL LEGAL NAME OF LICENSED/REGISTERED COMPANY (if sole proprietor, state last, first and middle name):		B. IRS Ident. No.:	
C. NAME UNDER WHICH BUSINESS IS CONDUCTED, IF DIFFERENT:		D. CONTACT PERSON:	
E. CONTACT PERSON'S DIRECT AREA CODE/TEL. NO.:		F. FIRM MAIN ADDRESS:      NUMBER AND STREET      CITY      STATE/COUNTRY      ZIP+4/POSTAL CODE	
G. MAILING ADDRESS, IF DIFFERENT: NUMBER AND STREET CITY		H. COMPANY AREA CODE / TELEPHONE NO.:	
2. Check One: <input type="checkbox"/> Surrender in all <i>jurisdictions</i> where licensed or registered, including NH <input type="checkbox"/> Surrender in NH but will continue business in other states <input type="checkbox"/> Surrender NH license or registration but will continue business in NH as an exempt entity			
3. Reason for Surrender: <input type="checkbox"/> Voluntary Cessation of Business in NH <input type="checkbox"/> Claiming an exemption Check One: <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Expiration of License or Registration at year end <input type="checkbox"/> Other: State Reason for Surrender		3. If surrendering, enclose with this filing: (a) Original Principal Office License or Registration; (b) Original Branch Office License(s); (c) The annual report of business for the year of surrender; (d) A list of each pending NH loan application; (e) A List of all NH loans or contracts outstanding or being serviced; and (f) The licensee or registrant must start publication of the notice of the closing in the Manchester Union Leader.  3a. If license or registration is expired, enclose with this filing: (a) A list of each pending NH loan application; (b) A List of all NH loans or contracts outstanding or being serviced; and (c) The licensee or registrant must start publication of the notice of the closing in the Manchester Union Leader.  4. Within 20 days from ceasing business or within 50 days from date of license expiration, the licensee or registrant must deliver a copy of the published notice to the NHBD.  4a. If surrendering or expired, the annual report of business for the prior calendar year must be delivered to the NHBD by March 31st.	
5. Date firm ceased or intends to cease business or date of expiration of its license(s)/registration(s) in New Hampshire):		MM      DD      YYYY /                       /	
6. Is the company now the subject of or named in any <i>financial services-related</i> : (On a separate sheet, provide details for any "yes" answers)		YES      NO 1. <i>investigation</i> <input type="checkbox"/> <input type="checkbox"/> 2. consumer-initiated complaint <input type="checkbox"/> <input type="checkbox"/> 3. private civil litigation <input type="checkbox"/> <input type="checkbox"/>	
NOTE: Update any incomplete or inaccurate information contained in item 8 of NH Application Form; <a href="http://www.nh.gov/banking/consumer.html">http://www.nh.gov/banking/consumer.html</a>			
7. NAME AND ADDRESS OF THE PERSON WHO WILL HAVE CUSTODY OF BOOKS AND RECORDS:		AREA CODE / TELEPHONE NO.:	
ADDRESS WHERE BOOKS AND RECORDS WILL BE LOCATED, IF DIFFERENT:      NUMBER AND STREET      CITY      STATE/COUNTRY      ZIP+4/POSTAL CODE			
8. <b>EXECUTION:</b> The undersigned certifies that he/she has executed this form on behalf of, and with the authority of, the NH licensed or registered company, and that all information herein, including any attachments hereto, is accurate, complete, and current. The undersigned and company further certify that all information previously submitted on the NH License/Registration Application Form and as amended is accurate and complete as of this date, and that the company's books and records will be preserved and available for inspection as required by law. I am signing this document under penalty of Unsworn Falsification, NH RSA 641:3.			
Date (MM/DD/YYYY)		Name	
By: _____ Signature		_____	
		Print Name and Title	